



**In the
Indiana Supreme Court**

IN THE MATTER OF THE)

APPROVAL OF LOCAL RULES)

FOR MONTGOMERY COUNTY)

Case No. 54S00-1107 -MS- 412

ORDER APPROVING AMENDED LOCAL RULES

The judges of the Montgomery Circuit and Superior Courts request the approval of amended local rules for the appointment of special judges in accordance with Ind. Trial Rule 79 and Ind. Criminal Rule 2.2. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Montgomery Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR54-TR79-22 and LR54-CR13-4, comply with the requirements of Ind. Trial Rule 79 and Ind. Criminal Rule 2.2, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Jackson County Local Rules, LR54-TR79-22 and LR54-CR13-4, set forth as an attachment to this Order, are approved effective July 1, 2011, provided further that the rules shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. David A. Ault, Montgomery Superior Court, 100 East Main Street, Crawfordsville, IN 47933-1715; the Hon. Peggy L. Quint Lohorn, Montgomery County Court, 100 East Main Street, #302, Crawfordsville, IN 47933-1715; the Hon. Harry Siamas, Montgomery Circuit Court, 100 East Main Street, Crawfordsville, IN 47933-1715; to the Clerk of the Montgomery Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Montgomery Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 1st day of July, 2011.

RT Shepard
Randall T. Shepard
Chief Justice of Indiana

LR54-TR79-22

Special Judges

- A. Pursuant to Trial Rule 79(H), after consulting with the other judges within the 11th Administrative District established in Administrative Rule 3(A); having considered the effective use of all judicial resources within such Administrative District; and having considered the accessibility of those judges who are eligible for appointment by a trial court as a special judge pursuant to Trial Rule 79(J); the following judges shall be appointed pursuant to a local rule pursuant to Trial Rule 79(H), and shall comprise the list for such appointments, and be selected alphabetically by county on a rotating basis, as follows: The judge of the Fountain Circuit Court, the judge of the Montgomery Circuit Court, the judge of the Montgomery Superior Court 1, the judge of the Montgomery Superior Court 2, the judge of the Parke Circuit Court, the judge of the Vermillion Circuit Court, and the judge of the Warren Circuit Court.
- B. In the event that no judge is eligible to serve as a special judge or the particular circumstances of the case warrant selection of a special judge by the Indiana Supreme Court, such case shall be certified to the Indiana Supreme Court for the appointment of a special judge.
- C. After a special judge is selected, the caption of all pleadings filed thereafter shall designate "Before Special Judge _____" immediately below the cause number.
- D. A copy of each pleading or each paper filed with the Court after a special judge has qualified shall be mailed or delivered to the office of that special judge by the counsel or litigant with service indicated on the certificate of service.

LR54-CR13-4

Reassignment

A. The following judges shall serve in the event it becomes necessary to reassign a felony or misdemeanor case in the Montgomery Circuit Court, the Montgomery Superior Court 1 or the Montgomery Superior Court 2: The judge of the Fountain Circuit Court, the judge of the Montgomery Circuit Court, the judge of the Montgomery Superior Court 1, the judge of the Montgomery Superior Court 2, the judge of the Parke Circuit Court, the judge of the Vermillion Circuit Court, and the judge of the Warren Circuit Court.

B. By order of adoption of these rules, the Indiana Supreme Court, pursuant to I.C. 33-24-6-10, temporarily transfers the above named judges to the Montgomery Circuit and Superior Courts for the purpose of reassignment of felony or misdemeanor cases. In the event it becomes necessary to reassign a felony or misdemeanor case, the cases will be reassigned on a rotating basis to the above named judges in the order in which they are listed.